



**SAINT PAUL**  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY  
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Litigation Division, 15 Kellogg Blvd. West, 750 City Hall  
Saint Paul, MN 55102  
Tel: 651-266-8770 | Fax: 651-266-8787

---

February 8, 2023

Honorable Nancy Brasel  
District Court Judge  
United States District Court, Courtroom 13W  
300 South Fourth Street  
Minneapolis, MN 55415

Re: *Woodstone Limited Partnership, et al. v. City of Saint Paul, et al.*  
Court File No. 22-cv-01589-NEB-JFD

Dear Judge Brasel,

In light of the parties' recent cross motions for summary judgment, I write on behalf of the City of Saint Paul Defendants to make the Court aware of new legal authority related to the constitutionality of various types of rent control. The Second Circuit Court of Appeals issued two separate decisions earlier this week:

1. *Cnty. Hous. Improvement Program v. City of New York*, No. 20-3366-CV, 2023 WL 1769666 (2d Cir. Feb. 6, 2023), (<https://law.justia.com/cases/federal/appellate-courts/ca2/20-3366/20-3366-2023-02-06.html>); and
2. *74 Pinehurst LLC v. New York*, No. 21-467, 2023 WL 1769678 (2d Cir. Feb. 6, 2023), (<https://law.justia.com/cases/federal/appellate-courts/ca2/21-467/21-467-2023-02-06.html>).

I have not provided copies of these cases via this letter, given the page length requirements for letters to the Court. Please let me know if you would like me to file a supplemental declaration providing those to the Court, or handle this in some other manner.

Thank you.

Sincerely,

*s/Megan D. Hafner*

Megan D. Hafner  
Assistant City Attorney  
(651) 266-8756

cc: Counsel of Record (*via ecf*)

**CITY OF SAINT PAUL  
MELVIN CARTER, MAYOR**

**STPAUL.GOV**